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9  
10 **UNITED STATES DISTRICT COURT**

11 **CLARK COUNTY, NEVADA**

12 DAVID BRIGHAM YOUNG, a natural  
13 person and resident of Nevada,

14 Plaintiff,

15 vs.

16 MERCURY CASUALTY COMPANY, et  
17 al.,

18 Defendants.

CASE NO.: 2:12-cv-00091-RFB-GWF

MOTION TO WITHDRAW AS ATTORNEY OF  
RECORD

19 COME NOW, the undersigned counsel, GLENN H. TRUITT, ESQ., and TRUITT AND  
20 ASSOCIATES D/B/A HALF PRICE LAWYERS ("HPL") and collectively known as ("Counsel") and  
21 moves this Honorable Court for an order permitting withdrawal as Counsel for the Plaintiff, DAVID  
22 BRIGHAM YOUNG, (hereinafter, the "Plaintiff") in the above captioned matter, pursuant to the  
23 Nevada Rules of Professional Conduct ("N.R.P.C.") 1.16.

24 This Motion is made and based upon the Memorandum of Points and Authorities and the  
25 Declaration of Glenn H. Truitt, Esq. attached hereto, and such argument and evidence as may be  
26 presented at the hearing on this motion, should any hearing occur.

27 DATED this 26<sup>th</sup> day of February, 2016.

28 IDEAL BUSINESS PARTNERS

By: \_\_\_\_\_

**GLENN H. TRUITT, ESQ.**

Nevada Bar No. 12506

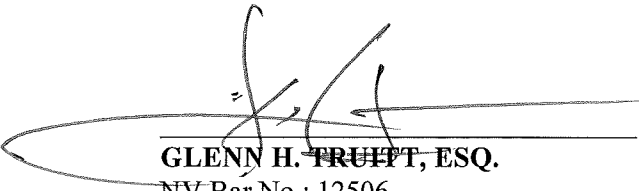
NOTICE OF MOTION

TO: All Interested Parties; and

TO: All Counsel of Record

PLEASE TAKE NOTICE that Glenn H. Truitt, Esq. of the law firm, Ideal Business Partners will bring the foregoing MOTION TO WITHDRAW AS COUNSEL on for decision on the \_\_\_\_\_ day of \_\_\_\_\_, 2016 at \_\_\_\_\_ P.M./ A.M, in Department \_\_\_\_\_ of the above-entitled Court.

Dated this 26<sup>th</sup> day of February 2016.

  
**GLENN H. TRUITT, ESQ.**  
NV Bar No.: 12506

**AFFIDAVIT OF GLENN H. TRUITT, ESQ.**  
**IN SUPPORT OF MOTION TO WITHDRAW**

I, Glenn H. Truitt, Esq., affirm in support of this Motion to Withdraw as Attorney of Record in the above-captioned case DAVID BRIGHAM YOUNG, Case No. 2:12-cv-00091-RFB-GWF:

1. I am an attorney duly-licensed to practice law in the State of Nevada, and was the managing partner of Truitt & Associates d/b/a Half Price Lawyers.
2. On or about 2012, I purchased the right to use the name Half Price Lawyers from Stokes & Stokes and began operations under the name Half Price Lawyers.
3. On or about 2015, I filed for bankruptcy and the legal practice of the law firm, Truitt & Associates d/b/a Half Price Lawyers, ceased operations and was discontinued.
4. On or about August 2013, after lead counsel on the above-captioned case, Mark Hutchings, Esq., resigned his position at Half Price Lawyers. Half Price Lawyers associated Barbara Johnston, Esq., of the law firm, Johnston & Associates, to act as lead counsel.
5. Since that time, Truitt & Associates d/b/a Half Price Lawyers has ceased its operations as a law firm. Hence, neither Truitt & Associates d/b/a Half Price Lawyers or Glenn H. Truitt, Esq., has any further association with the above-captioned case, as the its representation of Plaintiff has ceased upon the termination of its operations and existence as a law firm.
6. On or about, February 24, 2016, notice of this motion to withdraw was sent to Plaintiff's counsel.

I declare under penalty of perjury of the laws of the State of Nevada that the foregoing is true and correct.

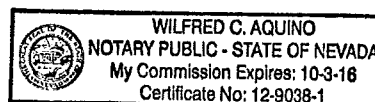
Executed this 26<sup>th</sup> day of February, 2016.

\_\_\_\_\_  
GLENN H. TRUITT, ESQ.

State of Nevada  
County of Clark

Signed and sworn to before me on this 26<sup>th</sup>  
day of February, 2016 by Glenn H. Truitt, Esq.

\_\_\_\_\_  
Notary Public



**POINTS AND AUTHORITIES**

As set forth in the Declaration of Glenn H. Truitt, Esq., notice of Glenn H. Truitt, Esq.'s, and Half Price Lawyers, Motion to Withdraw was sent to all parties, including Plaintiff's counsel, on February 25<sup>th</sup>, 2016. Glenn H. Truitt, Esq. and Half Price Lawyers have good cause to withdraw as counsel under the Nevada Rules of Professional Conduct ("NRPC") 1.16, which provides, in pertinent part, a lawyer may withdraw from representation where:

(1) Withdrawal can be accomplished without material adverse effect on the interests of the client;

. . .

(6) The representation will result in unreasonable financial burden on the lawyer or has been rendered unreasonably difficult by the client; or

(7) Other good cause exists for withdrawal.

*See* NRPC 1.16(b).

Here, as determined in the Declaration of Glenn H. Truitt, Esq., the attendant facts and the Points and Authorities, Truitt & Associates d/b/a Half Price Lawyers is no longer in business and no longer functioning or in existence as a law firm. Glenn H. Truitt is no longer functioning in his capacity as principal of Truitt & Associates d/b/a Half Price Lawyers. Currently, due to Mr. Truitt's bankruptcy and due to the termination of Half Price Lawyer's operations. Mr. Truitt does not have the financial capacity or specialized legal skill to engage in the particular kind of prosecution or representation which is the subject matter of Plaintiff's particular matter.

Thus, to continue representing the Plaintiff in the above-captioned case as attorney of record would result in undue hardship to Mr. Truitt, HPL, and Plaintiff, as Counsel does not possess the financial capacity or specialized skill without the existence of HPL to adequately represent Plaintiff.

Finally, Mr. Truitt and HPL's withdrawal can be accomplished without adverse effect on the interests of the client because withdrawal will not delay proceedings in this matter as there are no timelines pending in the action and Mr. Truitt has not been directly involved in Plaintiff's

1 representation since the termination of HPL's operations. Accordingly, there is no action for Counsel to  
2 take in the matter, and Counsel's withdrawal from the case will not have a materially adverse effect on  
3 Plaintiffs' interests, and will not prejudice any of the parties to the action. Therefore, good cause exists  
4 and Glenn H. Truitt, Esq.'s withdrawal should be granted.

5 **CONCLUSION**

6 It is respectfully requested that this Court enter an order approving Glenn H. Truitt, Esq.'s  
7 withdrawal as attorney of record for the Plaintiff.

8  
9 DATED this 26<sup>th</sup> day of February, 2016.

10  
11  
12 By: 

13 **GLENN H. TRUITT, ESQ.**

14 Nevada Bar No. 12506

15  
16 IT IS SO ORDERED this 29<sup>th</sup> day  
17 of February, 2016.

18 THE HONORABLE JUDGE FOLEY

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21 UNITED STATES MAGISTRATE JUDGE  
22 GEORGE W. FOLEY, JR.  
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**CERTIFICATE OF E-SERVICE**

Pursuant to NEFCR 9, NRCP 5(b) and EDCR 7.26, I certify that on this date, I served the foregoing **MOTION TO WITHDRAW AS ATTORNEY OF RECORD** on the following parties as set forth below:

\_\_\_\_ Placing an original or true copy thereof in a sealed envelope placed for collection and mailing in the United States Mail, Las Vegas, Nevada, postage prepaid, following ordinary business practices.

\_\_\_\_ Certified Mail, Return Receipt Requested.

\_\_\_\_ Via Facsimile (Fax).

\_\_\_\_ Placing an original or true copy thereof in a sealed envelope and causing the same to be personally Hand Delivered.

  X   Using the ECF system to serve electronically.

**Mark Hutchings**

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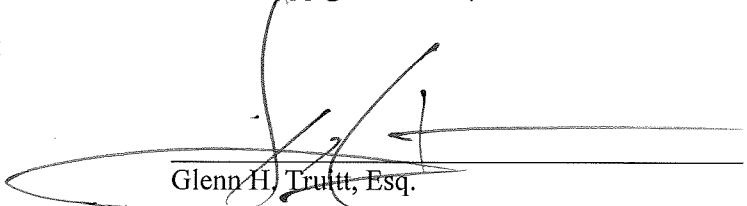
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Dated: February 26, 2016

  
Glenn H. Truitt, Esq.